

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

RECEIVED

JASON BETTON)
)
)
)
 Plaintiff(s),)
)
 v.)
GARDA CASH LOGISTICS)
)
)
 Defendant(s).)

FEB 18 2020 AC

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

1:20-cv-01178
Judge John Z. Lee
Magistrate M. David Weisman

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.
2. The plaintiff is JASON BETTON of the
county of COOK in the state of ILLINOIS.
3. The defendant is GARDA CASH LOGISTICS, whose
street address is 2500 S 25 AVENUE,
(city) BROADVIEW (county) COOK (state) ILLINOIS (ZIP) 60155
(Defendant's telephone number) (708) - 843-2200 EXT 513101
4. The plaintiff sought employment or was employed by the defendant at (street address)
GARDA CASH LOGISTICS (city) BROADVIEW
(county) COOK (state) ILLINOIS (ZIP code) 60155

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5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☐ was hired and is still employed by the defendant.
- (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) JUNE, (day) 17, (year) 2014.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

- (a) The defendant is ~~not~~ a federal governmental agency, and the plaintiff [*check one box*] ☒ has ☐ has not filed a charge or charges against the defendant

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☐ the United States Equal Employment Opportunity Commission, on or about (month) _____ (day) _____ (year) _____.
- (ii) ☐ the Illinois Department of Human Rights, on or about (month) DECEMBER (day) 08 (year) 2014.

- (b) If charges *were* filed with an agency indicated above, a copy of the charge is attached. ☐ Yes, ☐ No, **but plaintiff will file a copy of the charge within 14 days.**

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the

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defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month)_____ (day)_____ (year)_____

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month)_____
(day)_____ (year)_____.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ Yes ☐ No, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ Yes ☐ NO, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*

(a) ☐ the United States Equal Employment Opportunity Commission has not
issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued
a *Notice of Right to Sue*, which was received by the plaintiff on
(month) NOVEMBER (day) 18 (year) 2019 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [*check only
those that apply*]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

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- (c) ☒ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).

11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.

12. The defendant [*check only those that apply*]

- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____

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13. The facts supporting the plaintiff's claim of discrimination are as follows:

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☐ Yes ☒ No

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
[check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ Direct the defendant to (specify): _____
-
-

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- (g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☒ Grant such other relief as the Court may find appropriate.


(Plaintiff's signature)

JASON BETTON
(Plaintiff's name)


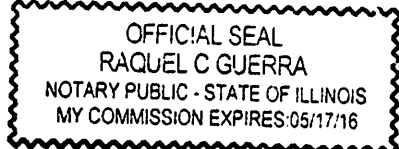
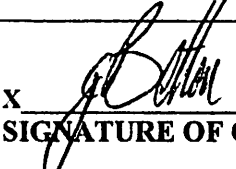
1425 W 95 PLACE
(Plaintiff's street address)

(City) CHICAGO (State) ILLINOIS (ZIP) 60628

(Plaintiff's telephone number) (312) - 409-0999

Date: 02/17/20

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CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.		<input checked="checked" type="checkbox"/> IDHR <input type="checkbox"/> EEOC	2016CF1500
#16W0105.02			
Illinois Department of Human Rights and EEOC			
NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.)		TELEPHONE NUMBER (include area code)	
Mr. Jason Betton		(312) 929-6463	
STREET ADDRESS	CITY, STATE AND ZIP CODE		DATE OF BIRTH
425 W. 95 th Place	Chicago, IL 60628		M D YEAR
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)			
NAME OF RESPONDENT	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE NUMBER (include area code)	
GardaWorld Cash Services	15+	(708) 343-2200 ext. 513101	
STREET ADDRESS	CITY, STATE AND ZIP CODE		COUNTY
2500 S. 25 th Avenue	Broadview, IL 60155		Cook
CAUSE OF DISCRIMINATION BASED ON:		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)	
Retaliation		12/21/2015	
		<input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:			
<p>I. A. ISSUE/BASIS</p> <p style="text-align: center;">DISCHARGE – DECEMBER 21, 2015, IN RETALIATION FOR FILING A PREVIOUS DISCRIMINATION CHARGE</p> <p>B. PRIMA FACIE ALLEGATIONS</p> <p>1. In June 2014, I filed charge 2014CE3630 against Respondent with the Department of Human Rights.</p>			
Page 1 of 2			
I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		SUBSCRIBED AND SWORN TO BEFORE ME	
		THIS <u>14th</u> DAY OF <u>January</u> , 2016.	
		 NOTARY SIGNATURE	
 OFFICIAL SEAL RAQUEL C GUERRA NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 05/17/16		X  SIGNATURE OF COMPLAINANT	
NOTARY STAMP		DATE <u>01/14/16</u> I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	

Charge Number: F1500

Complainant: Jason Betton

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- Rehr*
2. On December 22, 2015, I was discharged. The reason given by Eric Pierre, Manager, was because I was involved in two vehicle crashes within 12 months and therefore I no longer qualified to drive Respondent's vehicles.
 3. The adverse action followed my involvement in a protected activity within such a period of time as to raise an inference of retaliatory motivation.

MEE/RCG

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Jason Betton**
425 W 95th Place
Chicago, IL 60628

From: **Chicago District Office**
230 S. Dearborn
Suite 1866
Chicago, IL 60604



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

21B-2016-00568

Daniel Lim,
State & Local Coordinator

(312) 872-9669**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Julianne Bowman/jwa

11/18/2019

Enclosures(s)

Julianne Bowman,
District Director

(Date Mailed)

cc:

GARDAWORLD CASH SERVICES
c/o Kathryn E. Siegel, Esq.
Littler Mendelson, P.C.
321 N. Clark Street, Suite 1000
Chicago, IL 60654

• **PRIVATE SUIT RIGHTS**

The issuance of this *Notice of Right to Sue or Dismissal and Notice of Rights* ends the EEOC process with respect to your Charge. You may file a lawsuit against the Respondent within 90 days from the date you receive this Notice. Therefore, you should keep a record of the date. Once the 90 day period is over, your right to sue is lost. If you intend to consult an attorney, you should do so as soon as possible. Furthermore, in order to avoid any question that you did not act in a timely manner, if you intend to sue on your own behalf, your suit should be filed well in advance of the expiration of the 90 day period.

You may file your lawsuit in a court of competent jurisdiction. Filing this Notice is not sufficient. A court complaint must contain a short Statement of the facts of your case which shows that you are entitled to relief. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the Respondent has its main office.

You may contact the EEOC if you have any questions about your rights, including advice on which court can hear your case, or if you need to inspect and copy information contained in the case file.

IF THE FIRST THREE CHARACTERS OF YOUR EEOC CHARGE NUMBER ARE "21B" AND YOUR CHARGE WAS INVESTIGATED BY THE ILLINOIS DEPARTMENT OF HUMAN RIGHTS (IDHR), REQUEST FOR REVIEWING AND COPYING DOCUMENTS FROM YOUR FILE MUST BE DIRECTED TO IDHR.

A lawsuit against a private employer is generally filed in the U.S. District Court.

A lawsuit under Title VII of the Civil Rights Act of 1964, as amended, against a State agency or a political subdivision of the State is also generally filed in the U.S. District Court.

However, a lawsuit under the Age Discrimination in Employment of the American with Disabilities Act or, probably, the Equal Pay Act against a State instrumentality (an agency directly funded and controlled by the State) can only be filed in a State court.

A lawsuit under the Age Discrimination in Employment Act or the American with Disabilities Act or the Equal Pay Act against a political subdivision of a State, such as municipalities and counties, may be filed in the U.S. District Court.

For a list of the U.S. District Courts, please see the reverse side.

ATTORNEY REPRESENTATION

If you cannot afford an attorney, or have been unable to obtain an attorney to represent you, the court having jurisdiction in your case may assist you in obtaining a lawyer. If you plan to ask the court to help you obtain a lawyer, you must make this request of the court in the form and manner it requires. Your request to the court should be made well in advance of the 90 day period mentioned above. A request for representation does not relieve you of the obligation to file a lawsuit within the 90-day period.

DESTRUCTION OF FILE

If you file suit, you or your attorney should forward a copy of your court complaint to this office. Your file will then be preserved. Unless you have notified us that you have filed suit, your Charge file could be destroyed as early as six months after the date of the Notice of Right to Sue.

IF YOU FILE SUIT, YOU OR YOUR ATTORNEY SHOULD NOTIFY THIS OFFICE WHEN THE LAWSUIT IS RESOLVED.

You have been notified of your right to sue in Federal District Court. Suit is ordinarily filed in the District having jurisdiction of the county in which the employer, against whom you filed a Charge of employment discrimination, is located. The telephone number listed for each District is that of the Clerk of the Court.

U.S. DISTRICT COURT Northern District of Illinois Eastern Division at Chicago 219 South Dearborn Street Chicago, IL 60604 312-435-5670		U.S. DISTRICT COURT Central District of Illinois Urbana Division 201 South Vine Urbana, IL 61801 217-373-5830	
Counties		Counties	
Cook	Kendall	Champaign	Kankakee
DuPage	Lake	Coles	Macon
Grundy	LaSalle	Douglas	Moultrie
Kane	Will	Edgar	Piatt
		Ford	Vermillion
		Iroquois	
U.S. DISTRICT COURT Northern District of Illinois Western Division at Rockford 211 South Court Street Federal Building Rockford, IL 61101 815-987-4355		<u>Peoria Division</u> 100 N.E. Monroe Street 135 Federal Building Peoria, IL 61602 309-671-7117	
Counties		Counties	
Boone	McHenry	Bureau	McLean
Carroll	Ogle	Fulton	Peoria
DeKalb	Stephenson	Hancock	Putnam
JoDavies	Whiteside	Knox	Stark
Lee	Winnebago	Livingston	Tazewell
		Marshall	Woodford
		McDonough	
U.S. DISTRICT COURT Southern District of Illinois 750 Missouri Avenue East St. Louis, IL 62201 618-482-0671 and 301 Main Street Benton, IL 62312 618-438-0671		<u>Rock Island Division</u> 211 19 th Street Rock Island, IL 61201 309-793-5778	
Counties		Counties	
Alexander	Johnson	Henderson	Rock Island
Bond	Lawrence	Henry	Warren
Calhoun	Madison	Mercer	
Clark	Marion	<u>Springfield Division</u>	
Clinton	Monroe	600 East Monroe Street	
Crawford	Perry	Springfield, IL 62701	
Cumberland	Pope	217-492-4020	
Edwards	Pulaski	Counties	
Effingham	Randolph	Adams	Logan
Fayette	Richland	Brown	Maconpin
Franklin	St. Clair	Cass	Mason
Gallatin	Saline	Christian	Menard
Hamilton	Union	DeWitt	Montgomery
Hardin	Wabash	Green	Morgan
Jackson	Washington	Pike	Shawler
Jasper	Wayne	Shelby	
Jefferson	White		
Jersey	Williamson		